

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS H. BROWN,

Defendant.

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ORDER

13-cv-464-bbc

10-cr-74-bbc

On June 26, 2013, defendant Thomas Brown filed a motion for post conviction relief under 28 U.S.C. § 2255 contending that he is entitled to be resentenced based upon the United States Supreme Court holding in Dorsey v. United States, 132 S. Ct. 2321 (2012), that the Fair Sentencing Act's new, lower mandatory minimums applies to the post-Act sentencing of pre-Act offenders. The government has filed its response to defendant's motion and agrees that defendant is entitled to be resentenced.

ORDER

IT IS ORDERED that defendant Thomas Brown's motion for post conviction relief under § 2255 is GRANTED. The federal defender shall appoint counsel to represent

defendant at a resentencing hearing to be set after consultation with the clerk's office.

Entered this 30th day of July, 2013.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge